

STATE OF MICHIGAN



JOHN ENGLER, Governor

**DEPARTMENT OF ENVIRONMENTAL QUALITY**

*"Better Service for a Better Environment"*

HOLLISTER BUILDING, PO BOX 30473, LANSING MI 48909-7973

INTERNET: [www.state.mi.us](http://www.state.mi.us)

RUSSELL J. HARDING, Director

**REPLY TO:**

DRINKING WATER & RADIOLOGICAL  
PROTECTION DIVISION  
3423 N MARTIN L KING JR BLVD  
PO BOX 30630  
LANSING, MI 48909-8130

July 31, 1998

TO: Registered Water Well Drilling Contractors

FROM: Michael Gaber, Chief  
Well Construction Unit  
Ground Water Supply Section  
Drinking Water and Radiological Protection Division

SUBJECT: **Supervision of Well Drilling Activities**

The Ground Water Advisory Committee (GWAC) has recommended that our agency advise registered water well drilling contractors of their responsibility to adequately supervise well drilling activities. During the evaluation of registration candidates by the GWAC, it has been apparent that some individuals attempt to gain their well drilling field experience with inadequate supervision from the registered contractor. This has led to code violations that could have easily been avoided.

The statute that regulates the well drilling industry (Part 127, 1978 PA 368) defines a well drilling contractor as "a person.... ***who supervises the construction of water wells and the installation of pumps, ...***" Administrative Rule R 325.1701, Rule 201, dealing with minimum qualifications of applicants for registration, states that "well drilling experience shall have been acquired under the supervision of an active Michigan registered well driller." The administrative rules do not define supervision, nor do we believe it is appropriate to promulgate regulations that establish rigid criteria for supervision of employees. A contractor should have the flexibility to determine the nature and degree of supervision needed by each employee. Ultimately, the registered contractor is at risk of suspension or revocation of the certificate of registration if inadequate supervision of an employee(s) leads to violation of the state well code.

The GWAC and our agency have used the broad criterion listed below to assess adequacy of supervision when reviewing the credentials of a new applicant for registration. To ensure that an employee will satisfy the minimum field experience requirements of R 325.1701 to qualify for registration, "supervision" should include the following:

1. The registered contractor must be involved in the day-to-day operation of the well drilling business, except for normal vacation absence.
2. The registered contractor must provide occasional direct field supervision of drilling operations by employees and/or inspect completed installations to ensure code compliance and customer satisfaction.

Registered Water Well Drilling Contractors

Page 2

July 31, 1998

3. If the registered contractor is an employee of a well drilling firm, but not the owner or business partner, the contractor must have supervisory control over employees and well drilling/pump installation practices.
4. Job estimates, billing invoices, advertisements, and other business forms shall be under the name of the registered contractor or firm, not under the employee's name or a business name other than the name registered with our agency.
5. Water well records are the responsibility of the registered contractor. An unregistered individual cannot legally sign a water well record.

You are urged to avoid entering into business arrangements allowing unregistered individuals to use your license. There has been preponderance toward unsupervised field activities and code violation in such cases. R 325.1707a, Rule 207a states that allowing one's certificate of registration to be used by an unregistered individual with intent to evade the provisions of the act or rules, constitutes grounds for suspension or revocation of a certificate of registration. Contractors who have "sold" their certificate of registration to unregistered individuals have been subject to administrative actions resulting in suspension, monetary penalties of several thousand dollars, and redrilling of defective wells.

If you have any questions regarding this matter, please contact me at 517-335-8304.

MSG:ckh

cc: Ground Water Advisory Committee  
Local Health Departments  
Michigan Ground Water Association  
Mr. Wm. Elgar Brown, DEQ